

REMARKS

Claims 1-14 and 17 are pending in the application.

At page 2 of the Office Action, the Examiner rejected claims 1-14 and 17 under 35 USC 103(a) as being unpatentable over Bratz et al., U.S. Patent 6,242,382. The Examiner stated that Bratz et al. teaches solid mixtures of sulfonylurea herbicides and adjuvants comprising polyoxylated alkyl ethers to which other herbicides, including the herbicides disclosed in the present application, and additional surfactants, including alkylaryl polyether alcohols as claimed in the present application, can be added.

Applicants traverse this rejection. Bratz et al., U.S. Patent 6,242,382 discloses solid formulations of sulfonylurea herbicides and an adjuvant selected from alkyl ethers of copolymers of C₂-C₄-alkylene oxides. Bratz et al. discloses at column 1, lines 44-52 and column 2, lines 14-34 that stability of sulfonylurea type herbicide formulations is problematic because the active ingredient may decompose. The patentees found that pronounced stabilization of the sulfonylurea active ingredient occurs when using alkyl ethers of copolymers of C₂-C₄-alkylene oxides as wetters in solid formulations in comparison with other wetters. Bratz et al. found that structurally related compounds such as fatty alcohol ethoxylates (comparison examples 1 and 2) and ethylene oxide/propylene oxide block copolymers did not stabilize the sulfonylurea compound and could even lead to the degradation of the active ingredient. Bratz et al. does not disclose or suggest compounds other than alkyl ethers of copolymers of C₂-C₄-alkylene oxides for stabilizing the sulfonylurea compounds in the solid formulations. Bratz et al. states at column 12, lines 15-40 that the solid formulations can also contain formulation auxiliaries such as surfactants. Alkylaryl polyether alcohols are listed as a suitable type of formulation auxiliary along with numerous other types of surfactants. Bratz et al. does not disclose or suggest that

alkylaryl polyether alcohol surfactants could be used as adjuvants in the solid formulations disclosed therein for stabilization of sulfonylurea compounds.

The solid adjuvants and agrochemical compositions of claims 1-14 and 17 are not obvious in view of Bratz et al. Persons skilled in the art would not be motivated by the disclosures of Bratz et al. to select alkylaryl polyether alcohols, much less the surfactants of Formula I as recited in claim 1, as solid adjuvants. The mere listing of alkylaryl polyether alcohols as a type of formulation auxiliary does not provide a suggestion or reasonable expectation of success for using the surfactants of Formula I as recited in claim 1 as adjuvants. The claimed solid adjuvants comprising one or more surfactants of Formula I and a filler have high physical stability, a high surfactant load and are ecologically advantageous. The claimed solid adjuvants are suitable for the preparation of agrochemical compositions with high biological activity, a high active substance load and an outstanding tank mix quality. Withdrawal of this section 103(a) rejection of claims 1-14 and 17 is requested.

In view of the above, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 09879-00032-US from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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